THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION No.18757 of 1997

Dated: 19.01.2007

Between:

Gorle Emelia Navomi W/o Rajakumar,
R/o Kakinada, East Godavari District.

..... PETITIONER

AND

Commissioner, Survey, Settlements and
Land Records, Hyderabad and others

.....RESPONDENTS

THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION No.18757 of 1997

ORDER:

The writ petition is filed seeking a writ of certiorari quashing the proceedings in case No.13/342/89 dated 31.01.1995 on the file of the first respondent and also seeking a consequential direction to respondents 1 to 3 to grant patta in favour of the petitioner in respect of the land admeasuring Ac.15.00 in Sy.No.1 and Ac.10.00 in Sy.No.2 of Rampachodavaram of East Godavari District.

It is the case of the petitioner that he purchased the land admeasuring Ac.15.00 in Sy.No.1 and Ac.10.00 in Sy.No.2 of Rampachodavaram village from Kalum Rajanna Dora and Bulli Dora, respectively, under registered sale deeds dated 09.01.1970 and 09.04.1982, respectively. Since then he has been in possession and

enjoyment of the said land and also paying land revenue. While so, as there was threat of his dispossession from the said land, he filed M.C., under Section 145 of the Code of Criminal Procedure, 1973 before the Sub-Collector, Rampachodavaram, in which, respondents 4 to 12 filed counter stating that on 31.01.1995 the first respondent granted pattas in their favour in respect of the said land. His grievance is that though he is the absolute owner of the said land, the first respondent granted patta in favour of respondents 4 to 12 without issuing any notice to him. Hence, he seeks to set aside the order, dated 31.01.1995, and consequently direct respondents 1 to 3 grant patta in his favour.

Though this Court admitted the writ petition on 11.08.1997, no interim order was passed protecting the possession of the petitioner. No material is placed by the petitioner to show that he is still in possession and enjoyment of the said land. Hence, it leads to the inference that the order, dated 31.01.1995, issuing pattas in favour of respondents 4 to 12 has been executed. Hence, at this length of time, this Court is not inclined to interfere with the said order.

Accordingly, the writ petition is dismissed. There shall be no order as to costs.

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19.01.2007

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